

REMARKS

Claims 1, 2, 3, 4, 9, 12, and 13 have been amended. Claims 10 and 11 have been canceled. Hence, Claims 1 – 9, 12 and 13 are pending in the Application.

Summary Of Rejections/Objections

Claims 1, 3, and 11 have been rejected under 35 USC 112 for allegedly failing to distinctly claim subject matter which applicant regards as the invention.

Claims 1 – 11 are rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 6,438,618, herein Lortz, in view of 5,991,536, herein Brodsky.

Claims 12 and 13 are rejected under 35 USC 103(a) as being unpatentable over Lortz.

Rejections based on 35 USC 112

Claim 11 has been canceled. Claims 1 and 3 have been amended to address any vagueness and indefiniteness that have been alleged to exist in claims 1 and 3. Reconsideration and removal of these rejections is respectfully requested.

Rejections based on 35 USC 103(a)

Claim 1

Claim 1, as amended, recites

registering a plurality of observer objects by invoking ... a first method of said shared object to register said each observer object to notify about an event related to an execution requested by a first client of a particular operation;
...

when the shared object performs the execution requested by the first client of the particular operation, said shared object sending a first message about a first event related to the execution requested by the said first client to each observer object that has been registered to notify about an event related to the execution requested by said first client of a particular operation.

Claim 1 requires that the same shared object:

- (1) "register ... [an] observer object to notify about an event related to an execution requested by a ... client of a particular operation,"
- (2) "perform... the execution requested by the first client of the particular operation,"
- (3) "send... a first message about a first event related to the execution requested by the said first client to each observer object that has been registered."

Thus, a feature of claim 1 is that it requires that the shared object that has the responsibility of carrying out an operation and the shared object that has the responsibility of notifying the appropriate observer objects registered to receive notifications about that execution of the operation be the same shared object. The cited art fails to disclose or suggest an object that has both these responsibilities.

The Office Action has alleged that the combination of Lortz and Brodsky teach the limitations of claim 1. This is allegation is incorrect.

The combination of Lortz and Brodsky is based on a correlation the Office Action explicitly draws between an event object in Lortz and the shared resource object of claim 1. (see section 7, second and third paragraphs). Because claim 1 requires that the shared object has both the responsibility of executing an operation and the responsibility of distributing notifications to the appropriate registered observer objects about the operations, the Office Action's correlation requires that the event object perform these two responsibilities. Thus, the Office Action proposes to modify Lortz by requiring that the event object perform both sets of responsibilities.

The MPEP states, "[i]f the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then

the teachings of the references are not sufficient to render the claims *prima facie* obvious. MPEP §2143.01 citing *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959).

The modification proposed by the Office Action changes a fundamental principle of operation in Lortz. That principle of operation is that the object responsible for performing operations requested by clients, i.e. the control object, and the object responsible managing the distribution of notifications about those operations to other objects, i.e. the event object, be separate and distinct objects.

Specifically, the "control object 25 for a device 24 implements the set of properties defined for that device type. The control object 25 converts the property command 23 into a command 20 that is sent across the network 100 to the device 24 to which it applies. As clients 20 manipulate a device's properties, the control object 25 responds by sending commands to the device 24. For example, a client 20 application may manage the channels that a child is allowed to watch on a television. Upon receipt of an event 22 indicating that a channel has been changed to a forbidden channel, the client 20 may send a property command 23 to the control object 25 changing the television channel (e.g., back to the previous channel). The control object 25 then converts the property command 23 to a control command 28 (to change the channel back), and sends the control command 28 to the television via the network 100. The television then implements the control command 28 and changes the channel back to the original channel." (col. 5, lines 13 – 29)

"Rather than subscribing directly to each control object 25, a client 20 can register an interest in events with the server 30, by subscribing to an event object 35 of the server 30 and specifying the types of events 22 the client 20 is interested in (through the event filters 31, described below). The control objects 25 connect to the server 30 independently of the clients 20. Each control object 25 signals events to the server 30 rather than directly to the clients 20, so the control object 25 receives an immediate "event received" response from the server 30 rather than having to wait for the client 20 to process the event 22 and respond that the event was processed. The server 30 then passes all appropriate events 22 to the client 20. The client 20, therefore, does not have to

wait until a control object 25 connects to the server 30 for the client 20 to subscribe to a control object's 25 events 22." (col. 6, lines 48 – 61)

Because the modification proposed by the Office Action changes a fundamental principle of operation in Lortz, its teachings are not sufficient to render the claims *prima facie* obvious, either by itself or in combination with Brodsky. Therefore, claim 1 is patentable. Reconsideration and allowance of claim 1 is respectfully requested.

Claim 12

Claim 12, recites:

registering with the shared object one or more observer objects;
 wherein each observer object of said one or more observer objects is associated
 with at least one client and an operation of the shared object that includes
 a plurality of sub-operations; and
 when the shared object performs a sub-operation of a particular operation for a
 particular client, sending a message to each observer object that is
 associated with said particular operation and said particular client.

Similar to claim 1, a feature of claim 12 is that the shared object that has the responsibility of performing an operation (i.e. suboperation) also has the responsibility of registering observer objects and notifying the appropriate observer objects registered about that execution of the operation. Because the Office Action has explicitly correlated the shared object of claim 12 to the event object of Lortz, the Office Action proposes to modify Lortz by requiring that the object responsible for performing operations requested by clients, i.e. the control object, and the object responsible for managing the distribution of notifications about those operations to other objects as appropriate, i.e. the event object, be the same object. For reasons similar to those given for claim 1, such a modification violates a fundamental principle of operation of Lortz, and Lortz cannot be used to render claim 12 *prima facie* obvious, either by itself or with another reference.

Therefore, claim 12 is patentable. Reconsideration and allowance of claim 12 is respectfully requested.

Claim 13

Claim 13 recites:

a client informing a shared object that the client is interested in receiving an indication when the shared object performs sub-operations of a particular operation for at least one particular client, without receiving indications when said shared object performs sub-operations of said particular operation for clients other than said at least one particular client; and the shared object causing the client to receive an indication when the shared object performs each sub-operation of the particular operation for said at least one particular client without causing the client to receive indications when said shared object performs sub-operations of said particular operation for clients other than said at least one particular client.

A feature of claim 13 is that the shared object that has the responsibility of performing an operation (i.e. suboperation) also has the responsibility of causing a client that indicates an interest in when the operation is performed to receive an indication of when the operation has been performed. Because the Office Action has explicitly correlated the shared object of claim 13 to the event object of Lortz, the Office Action proposes to modify Lortz by requiring that the object responsible for performing operations requested by clients, i.e. the control object, and the object responsible for indicating to other objects when operations are performed, i.e. the event object, be the same object. For reasons similar to those given for claim 1, such a modification violates a fundamental principle of operation of Lortz, and Lortz cannot be used to render claim 13

prima facie obvious, either by itself or with another reference. Therefore, claim 13 is patentable. Reconsideration and allowance of claim 13 is respectfully requested.

Remaining Claims

The pending claims not discussed so far are dependant claims that depend on an independent claim that is discussed above. Because each of the dependant claims include the limitations of claims upon which they depend, the dependant claims are patentable for at least those reasons the claims upon which the dependant claims depend are patentable. Removal of the rejections with respect to the dependant claims and allowance of the dependant claims is respectfully requested. In addition, the dependent claims introduce additional limitations that independently render them patentable. Due to the fundamental difference already identified, a separate discussion of those limitations is not included at this time.

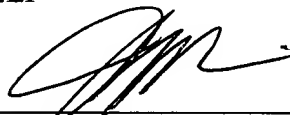
For the reasons set forth above, Applicant respectfully submits that all pending claims are patentable over the art of record, including the art cited but not applied. Accordingly, allowance of all claims is hereby respectfully solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER
LLP

Dated: February 25, 2005



Marcel K. Bingham
Reg. No. 42,327

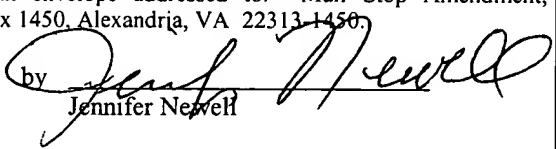
2055 Gateway Place, Suite 550
San Jose, CA 95110
Telephone No.: (408) 414-1080 ext.206
Facsimile No.: (408) 414-1076

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on February 25, 2005

by


Jennifer Newell